REMARKS/ARGUMENTS

Claims 8, 9, and 23-36 are active. Support for the amendment to Claim 8 is found on page 16, lines 1-11. No new matter is believed to have been added.

Applicants thank the Examiner for indicating that Claims 9 and 29-34 are allowed. Applicants also thank the Examiner for withdrawing the rejection combining Munteanu with Reyes and Deubzer, In view of the amendment and remarks submitted herein, Applicants request allowance of all pending claims, i.e., Claims 8, 9 and 23-36.

Applicants also express their appreciation for discussing this application with their undersigned U.S. representative on January 3, 2006. During this discussion, differences between the claimed invention and the cited prior art were addressed. In particular, it was noted that the prior art describes microcapsule materials in which the coating is cross-linked or graft polymerized to the surface of the core. In contrast, in the claimed invention, the gel cores are simply coated with the hydrophobic material. Coating compared to cross-linking or graft polymerization imparts a number of advantages neither described nor suggested by the cited prior art, e.g. when the coated gel particles of the present invention are ruptured on the surface of the skin, unlike the particles of the cited prior art, they would not leave an unacceptable residue of broken capsules, for example, on the surface of the skin.

During this discussion, the Examiners expressed concern that the claims did not suitably define this difference. Therefore, it should be noted that Claim 8 has been amended to define the manner in which the gel cores are coated. Although Claim 8 is a product claim, the process limitations defining the manner in which the cores are coated clearly provides a structural difference on the final hydrophobic coated aqueous gel cores that differentiates them from those described in the cited prior art documents.

As explained previously, Reyes describes a process whereby hydrophilic polymers are encapsulated in hydrophobic material through a series of steps ending in the **graft**

**polymerization** of the hydrophobic material to the hydrophilic material "To thereby trap the material to be encapsulated within the coating" (see FIG. 1 of Reyes) As already noted by the Office, Reyes does not describe a cosmetic.

Deubzer describes preparing microcapsules with organopolysiloxane walls which is produced by hydrolosis and polycondensation (see col. 1, lines 43-49 of Deubzer).The problem addressed by Deubzer is to more easily prepare these organopolysiloxane shells with cheaper materials (see col. 1, lines 36-39). Deubzer also describes at col. 6, lines 15-25 that "the microcapsules may be used for all applications in which microcapsules have also been used" and among the generic listing of applications, cosmetics is included.

However, as explained above, in both disclosures the microcapsules are different from the coated aqueous gel cores as claimed. Therefore, Applicants request that the rejection based on the combination of Reyes and Deubzer be withdrawn.

Also, during the discussion, the Examiners mentioned the disclosure of US patent no. 6,187,842 (Kobayashi et al). However, as explained during this meeting and in Applicants' previous response, this patent describe dispersing sugar compound and dispersants in water to form a gel, then lyophilizing to remove the water in the gel to obtain a xerogel powder-type gellant composition. Also, since a xerogel is one in which water has been removed (see IUPAC Compendium of Chemical Technology, 2$^{nd}$ Ed. (1997), previously made of record), the material described in Kobayashi is completely different from the material claimed which includes aqueous gel cores (i.e., contains water)—reference is also made to Applicants' response filed on November 24, 2003.

Applicants request a Notice of Allowance.

Respectfully submitted,

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